

REMARKS

The Office Action of January 13, 2006, has been carefully considered. The Applicant thanks the Examiner for suggestions to include the latter limitations of Claim 3 into the herein amended Claim 1.

Objections to the Claims

The Office Action objected to Claims 11 and 18. Claim 11 is amended herein to recite "a wheel radius", and Claim 18 is amended herein to include "the hand truck is a convertible hand truck having a two wheel mode and a platform mode, and". The Applicant believes that these amendments address the objections and respectfully requests that the Examiner withdraw these objections and advance Claims 11 and 18 toward allowance.

Rejections Based on 35 USC § 112

The Office Action rejected Claim 18 under 35USC § 112 as being indefinite. Claim 18 has been amended to depend from Claim 1 and to include "the hand truck is a convertible hand truck having a two wheel mode and a platform mode, and." Applicant believes that this amendments addresses the rejection and respectfully requests that the Examiner withdraw these objections and advance Claims 18 toward allowance.

Rejections Based on 35 USC § 102

The examiner has rejected Claims 1, 4, 5, 11, 12, 14, and 15 under 35 USC § 102 as anticipated by Levine (US 4,762,193). Claim 1 has been amended to recite that each wheel is connected to its respective axle by a respective hub, and that each hub has a disengaged position and an engaged position. Levine teaches a single axle 12 which is connected to wheels 10 through a one way coupling which allows:

"overrunning of the axle 12 when the trolley is hand pushed in the same direction. This can also provide a differential to enable turning and cornering"

Because Levine does not disclose right and left hubs which have engaged positions and disengaged positions, the Applicant believes that the amended Claim 1 is now in condition for allowance and respectfully requests that the Examiner withdraw this rejection of Claims 1, 4, 5, 11, 12, 14, and 15 and advance Claims 1, 4, 5, 11, 12, 14, and 15 toward allowance.

The examiner has rejected Claims 1, 4, 5, 11, 12, 14 under 35 USC § 102(e) as anticipated by Mitchell (US 6,793,236). Because Claim 1 has been amended to recite that each wheel is connected to its respective axle by a respective hub, and that each hub has a disengaged position and an engaged position, the Applicant believes that the amended Claim 1 is now in condition for allowance and respectfully requests that the Examiner withdraw this rejection of Claims 1, 4, 5, 11, and 15 and advance Claims 1, 4, 5, 11, and 15 toward allowance.

Rejections Based on 35 USC § 103

The examiner has rejected Claims 6-10 and 15 under 35USC § 103(a) as being unpatentable over Mitchell. Applicant believes that the amended Claim 1 is in condition for allowance. Because Claims 6-10 and 15 depend from Claim 1, the Applicant also believes that Claims 6-10 and 15 are in condition for allowance and respectfully requests that the Examiner withdraw the rejection based on Mitchell and advance Claims 6-10 and 15 toward allowance.

The examiner has rejected Claims 6-9 and 16 under 35USC § 103(a) as being unpatentable over Levine. Applicant believes that the amended Claim 1 is in condition

for allowance. Because Claims 6-9 and 16 depend from Claim 1, the Applicant also believes that Claims 6-9 and 16 are in condition for allowance and respectfully requests that the Examiner withdraw the rejection based on Mitchell and advance Claims 6-9 and 16 toward allowance.

The examiner has rejected Claims 13 under 35USC § 103(a) as being unpatentable over Mitchell in view of Law. Applicant believes that the amended Claim 1 is in condition for allowance. Because Claim 13 depends from Claim 1, the Applicant also believes that Claim 13 is in condition for allowance and respectfully requests that the Examiner withdraw the rejection based on Mitchell in view of Law and advance Claims 13 toward allowance.

The Examiner has rejected Claims 20 and 22 under 35USC § 103(a) as being unpatentable over Applicant's prior art figures 2A and 2B in view of Levine. Claim 20 has been amended to describe a wireless speed control attached to the convertible frame opposite the caster wheels. Because Levine does not disclose a wireless speed control attached to the convertible frame, the Applicant believes that Claim 20 is now in condition for allowance and respectfully requests that the Examiner withdraw the rejection of Claim 20 and advance Claim 20 to allowance.

Because Claim 22 depend from Claim 20, the Applicant also believes that Claim 22 is in condition for allowance and respectfully requests that the Examiner withdraw the rejection of Claim 22 and advance Claim 22 to allowance.

The Examiner has rejected Claims 19 and 21 under 35USC § 103(a) as being unpatentable over Levine in view of Ohba. Claims 19 has been amended to describe a wireless speed control attached to the convertible frame opposite the caster wheels. Ohba describes a transmitter warn by an individual and a remote controlled vehicle having a receiver circuit. The receiver circuit measures the range and bearing to the individual based on a signal from the transmitter, and attempts to follow the individual. Because the transmitter in Ohba is not attached to the frame of the vehicle, and is not a

speed control, the Applicant believes that the amended Claim 19 is in condition for allowance and respectfully requests that the Examiner withdraw the rejection of Claim 19 and advance Claim 19 to allowance.

Claim 21 has been cancelled.

CONCLUSIONS

Claims 1, 3-16, and 18-20 remain pending in the application. Claims 1, 19, and 20 have been amended to overcome the rejections in the Office Action mailed January 13, 2005. Claim 18 has been amended to overcome an objection in the Office Action mailed January 13, 2005. The Applicant respectfully requests that the Examiner advance Claims 1, 3-16, and 18-20 and 22 to allowance.

Respectfully submitted,



Kenneth L. Green

Attorney for Applicant

Reg. No. 44,724

Averill & Varn
8244 Painter Avenue
Whittier, CA 90602
(562) 698-8039